

### **REMARKS**

Claims 1-12, 14-28, 30-39 and 41-45 are pending in the present application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-12, 14-28, 30-39 and 41-45 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2004/0243616 (Benhase). This rejection is respectfully traversed.

It is believed that the pending claims are patentably distinct over Benhase. However, in order to expedite prosecution, Applicant submits a revised declaration in accordance with 37 C.F.R. §1.131 which establishes the conception of the Applicant's invention in the United States prior to May 30, 2003, which is the filing date of the Benhase reference. In addition, the declaration establishes that the claimed invention was diligently pursued from prior to May 30, 2003 to a subsequent constructive reduction to practice. Since Benhase is prior art in relation to Applicant's claimed invention under 35 U.S.C. §102(e), Applicant asserts that the rejection has been overcome. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 

Timothy D. MacIntyre  
Reg. No. 42,824

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

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